

**REMARKS**

In the Office Action mailed on December 11, 2007, the Examiner rejected claims 25-26, 28-39, 41-42, and 45-47 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Codos et al. (U.S. Patent No. 6,312,123) in view of Muranaka (U.S. Patent No. 6,004,052) and Wile et al. (U.S. Patent No. 4,517,893); rejected claim 44 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Codos et al. in view of Muranaka and Buckwalter (U.S. Patent No. 3,881,942); and objected to claim 43 as being dependent upon a rejected base claim, but allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims. The Examiner made the rejections final.

By this Amendment, Applicant amends claim 25 and cancels claims 1-11, 13-17, 22, 24, and 43 without prejudice or disclaimer. Applicant reserves the right to present the subject matter of the cancelled claims at a later date. Claims 25-26, 28-39, 41, 42, and 44-47 are currently pending. Of these claims, claim 25 is the sole independent claim.

Applicant respectfully traverses the Section 103 rejection of claims 25-26, 28-39, 41-42, and 45-47 over Codos et al. in view of Muranaka and Wile et al. While Applicant does not necessarily agree that the cited references, either alone or in combination, disclose or suggest the claimed invention as set forth in independent claim 25, solely in the interests of expediting the prosecution of this application, Applicant has amended independent claim 25 to include the subject matter of claim 43, which the Examiner identified as containing allowable subject matter. Accordingly, Applicant respectfully

submits that independent claim 25 and its dependent claims 26, 28-39, 41-42, and 44-47 are in condition for allowance.

Applicant respectfully traverses the Section 103 rejection of claim 44 over Codos et al., Muranaka, and Buckwalter. While Applicant does not necessarily agree that the cited references, either alone or in combination, disclose or suggest the claimed invention as set forth in claim 44, Applicant submits that claim 44 depends from claim 25 and is patentable at least due to its dependence from claim 25.

The Office Action contains characterizations of the claims and the related art with which Applicant does not necessarily agree. Unless expressly noted otherwise, Applicant declines to subscribe to any statement or characterization in the Office Action.

In discussing the specification, claims, and drawings in this Amendment, it is to be understood that Applicant is in no way intending to limit the scope of the claims to an exemplary embodiment described in the specification or abstract and/or shown in the drawings. Rather, Applicant is entitled to have the claims interpreted broadly, to the maximum extent permitted by statute, regulation, and applicable case law.

Applicant respectfully requests that this Amendment under 37 C.F.R. § 1.116 be entered by the Examiner, placing claims 25-26, 28-39, 41, 42, and 44-47 in condition for allowance. The proposed amendment of claim 25 does not raise any new issues or necessitate the undertaking of any additional search of the art by the Examiner, since all of the elements and relationships claimed were present in now canceled claim 43, as examined. Therefore, this Amendment should allow for immediate action by the Examiner.

Furthermore, Applicant respectfully points out that the final action by the Examiner presented some new arguments as to the application of the art against Applicant's invention. It is respectfully submitted that the entering of this Amendment would allow the Applicant to reply to the final rejections and place the application in condition for allowance.

Finally, Applicant submits that the entry of this Amendment would place the application in better form for appeal, should the Examiner dispute the patentability of the pending claims.

In view of the foregoing remarks, Applicant submits that this claimed invention, as amended, is neither anticipated nor rendered obvious in view of the prior art references cited against this application. Applicant therefore requests the entry of this Amendment, the Examiner's reconsideration and reexamination of the application, and the timely allowance of the pending claims.

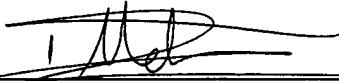
Please grant any extensions of time required to enter this Amendment and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: February 5, 2008

By:

  
Dinesh N. Melwani  
Reg. No. 60,670